



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/812,074 | 03/19/2001 | Henry A. Lester | A-59891-2/RFT/JJD |

CONFIRMATION NO. 8989

FORMALITIES LETTER



OC00000006110844

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Four Embarcadero Center - Suite 3400
San Francisco, CA 94111-4187

Date Mailed: 05/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:


12/17/2001 HNDOR1 0-00033 09812074

01-18-2001
02-10-2001

370.00 DP

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE

#4



PATENT

Attorney Docket No. A-59891-2/RFT/JJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LESTER, et al.

Serial No. 09/812,074

Filed: March 19, 2001

For: DNA ENCODING INWARD
RECTIFIER, G-PROTEIN
ACTIVATED, MAMMALIAN,
POTASSIUM KGA CHANNEL AND
USES THEREOF

Examiner: Unknown

Group Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, DC 20231 on:

Date: Oct. 24, 2001

Signed: Monica Carlos
Monica Carlos

REQUEST TO USE COMPUTER READABLE FORM OF SEQUENCE LISTING
FROM THE PARENT APPLICATION

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This request is in response to the Notice to File Missing Parts of Nonprovisional Application mailed May 24, 2001, a copy of which is enclosed herewith. While Applicant believes no fee to be due at this time, the Commissioner is authorized to charge any fees, including any extension of time fees, or other relief, as may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-59891-2/RFT/JJD).

Serial No.: 09/812,074

Filed: March 19, 2001

The paper copy of the Sequence Listing information in this application is identical to the computer readable copy of the Sequence Listing information filed in application Serial No. 09/042,494, filed March 16, 1998 (now U.S. Patent No. 6,255,459). In accordance with 37 C.F.R. 1.821(e), please use the only computer readable form of the sequence information filed in that application as the computer readable form for the instant application. It is understood that the Patent and Trademark Office will make the necessary change in application number and filing date for the instant application. A paper copy of the Sequence Listing is included in the originally-filed specification of the instant application.

Please direct any calls in connection with this application to the undersigned at (415) 781-1989.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Dated: July 19, 2001

James J. Diehl

James J. Diehl, Reg. No. 47,527 for
Richard F. Trecartin, Reg. No. 31,801

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989



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PATENT

Attorney Docket No. A-59891-2/RFT/JJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LESTER, et al.

Serial No. 09/812,074

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Date: October 24, 2001

Signed: Monica E. Carlos
Monica E. Carlos

RESPONSE TO NOTICE TO FILE MISSING PARTS

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed May 24, 2001, enclosed are the following documents:

- a) Copy of the Notice to File Missing Parts of Nonprovisional Application;
- b) Checks in the amount of \$420 and \$15 (\$370 filing fee and \$65 surcharge);
- c) Petition for Extension of Time (3 months);
- d) Check in the amount of \$460 for extension fee;
- e) Request to Use Computer Readable Form of Sequence Listing From the Parent Application; and
- f) Return postcard.

✓ Applicant claims small entity status. See 37 CFR 1.27.

Serial No.: 09/812,074

Filed: March 19, 2001

Although Applicant does not believe any additional fees are required, the Assistant Commissioner is authorized to charge any fees which may be required, including extension fees, or credit any overpayment to Deposit Account No. 06-1300 (Our File A-59891-2/RFT/JJD).

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Dated: Oct. 24, 2001

By James J. Diehl
James J. Diehl, Reg. No. 47,527 for
Richard F. Trecartin, Reg. No. 31,801

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